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SUBJECT: GOC-ELN TALKS APPEAR STALLED, ELN POLITICAL
MISCALCULATIONS CONTINUE

REF: BOGOTA 1558

Classified By: Political Counselor John S. Creamer
Reason: 1.4 (b,d)

Summary

¶1. (C) GOC-ELN talks appear stalled, largely because the ELN calculates the GOC will weaken as a result of the "parapolitical" scandal and offer more generous terms. The ELN's miscalculation is not surprising. The terrorist group has a long history of misreading the country's political situation. President Uribe is insisting on Justice and Peace Law terms for the ELN, as a sign of respect for ELN victims and to ensure the paramilitaries do not benefit from the ELN peace process. End summary.

Talks Appear Stalled

¶2. (C) Norwegian Charge Dag Nylander and guarantor Alvaro Jimenez told us separately March 28 the GOC-ELN talks appeared stalled. Jimenez said a series of February talks in Havana were positive but did not result in a breakthrough. ELN negotiator Francisco Galan was unable to travel to Havana because he could not obtain the judicial approval he required as a former prisoner on conditional release. (We understand from the Prosecutor General's office that the lack of approval was an administrative matter associated with transferring Galan's case from one judge to another, and not designed to impede his travel or participation in the talks.) Nylander said further talks are planned for late April.

ELN Political Miscalculations

¶3. (C) Jimenez and fellow guarantor Moritz Akerman said the ELN leadership regarded the "parapolitical" scandal as weakening the GOC. The ELN seemed to be calculating that it could obtain better terms from an Uribe Administration that continued to suffer revelations about its congressional supporters' alleged collaboration with paramilitaries. Akerman and Jimenez said they had told the ELN it was misreading the situation, to no avail.

14. (C) The ELN has told the GOC it is committed to a ceasefire and will release its kidnap victims, but the ELN persists in trying to force the GOC to guarantee specific social reforms the ELN regards as essential to validate its "revolutionary struggle." For its part, the GOC has offered the ELN a national convention-type event, at which ELN figures could explain their proposals to Colombia's elected representatives and seek their support. Akerman said the ELN views the convention proposal as positive, but without guaranteed results the ELN fears ending up with nothing to show for its "struggle." Restrepo told us the ELN's position is unrealistic given its lack of political support and military capacity.

GOC Firm on Justice for ELN Victims

15. (C) Presidential speechwriter and Uribe confidant Jose Obdulio Gavria told us March 28 the president had decided the ELN must accept Justice and Peace Law terms in any peace process, or similar terms under a different name. ELN victims deserved the same respect and justice as victims of paramilitary human rights abuses. The GOC was highly reluctant to offer the ELN a better deal, because any such benefits would have to be extended to the paramilitaries as well.

Comment

16. (C) The ELN's miscalculations are not surprising. The terrorist group has a long history of misreading Colombia's political situation, as well as overestimating its bargaining position. The GOC has been generous with the ELN. Uribe's insistence on Justice and Peace Law terms reflects a shift from his previous view that the ELN could receive more lenient treatment.
Drucker